	Application No.	Applicant(s)
Notice of Allowability	09/858,122	KATZ ET AL.
	Examiner	Art Unit	
	NADJA CHONG CRUZ	3623	

*-- The **MAILING DATE** of this communication appears on the cover sheet with the correspondence address--*

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the documents filed on 7 April 2010*.

2. ☒ The allowed claim(s) is/are *140-145,150,151,155-159,162,169-174,182,183 and 231-238*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All   b) ☐ Some*   c) ☐ None   of the:
   1. ☐ Certified copies of the priority documents have been received.
   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
   3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
   * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of
      Paper No./Mail Date _____ .

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)
1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *20100702* .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____ .

/Beth V. Boswell/
Supervisory Patent Examiner, Art Unit 3623

DETAILED ACTION

1.   The following action is a response to the communication of 7 April 2010. Claims 140, 142, 144,

155-158, 231 and 237-238 have been amended and claim 230 have been cancelled by

Examiner's Amendment.

2.   Claims 140-145, 150-151, 155-159, 162, 169-174, 182-183 and 231-238 are now pending in this

application and are allowed.

3.   This action includes an Examiner's Amendment and Reasons for Allowance.

Examiner's Amendment

4.   An examiner's amendment to the record appears below. Should the changes and/or additions be

unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure

consideration of such an amendment, it MUST be submitted no later than the payment of the

issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Andrew J.

Lee (Reg. # 60,371) on July 2, 2010. It is further noted that the agreement was reached via a

series of conversation that took at various times from 6/24/2010 until 7/2/2010. The application

has been amended as follows:

In the claims:

Please amend claim 140 as follow:

140.   A method comprising:

        discovering, by a computer system, internal and external data related to a plurality of

components to be procured by an enterprise, wherein the internal data originates from one or

more data sources internal to the enterprise, and wherein the external data originates from one or

more data sources external to the enterprise;

        storing, by the computer system, the discovered internal and external data in a data mart;

analyzing, by the computer system, the internal and external data using a first analysis module to determine criticality ratings for the plurality of components, wherein the criticality rating for a component indicates the strategic importance of the component to operations of the enterprise, and wherein the analyzing performed using the first analysis module is based on a first set of user-defined parameters that qualify the internal or external data;

analyzing, by the computer system, the internal and external data using a second analysis module to forecast prices for the plurality of components set by suppliers external to the enterprise, wherein the analyzing performed using the second analysis module is based on a second set of user-defined parameters that qualify the internal or external data;

analyzing, by the computer system, the internal and external data using a third analysis module to determine optimal inventory levels for the plurality of components, wherein the analyzing performed using the third analysis module is based on a third set of user-defined parameters that qualify the internal or external data;

analyzing, by the computer system, the internal and external data using a fourth analysis module to identify components in the plurality of components that are shortage risks, wherein the analyzing performed using the fourth analysis module is based on a fourth set of user-defined parameters that qualify the internal or external data;

collecting and integrating the analyzed data from the first, second, third and fourth analysis modules through a plurality of algorithms that optimize the analyzed data based on the first, second, third and fourth set of user-defined parameters;

recommending by the computer system, one or more proposed actions to take with respect to procurement of the plurality of components based on the ~~analyzing performed using the first, second, and third analysis modules~~ collecting and integrating performed; and

providing, by the computer system, one or more computer-initiated options for fully or partially executing an action in the one or more proposed actions.

Please amend claim 142 as follow:

142.   The method of claim 140, further comprising producing, by the computer system, one or more reports based on the analyzing performed using the first, second, [[and]] third, and fourth analysis modules, wherein the one or more reports provide the user with information regarding an impact or potential impact of the discovered internal and external data on procurement decisions, sourcing decisions and strategic sourcing decisions in the enterprise with respect to the plurality of components, and wherein the one or more reports include information displayed in one or more graphical formats.

Please amend claim 144 as follow:

144.   The method of claim 140, further comprising producing, by the computer system, one or more reports based on the analyzing performed using the first, second, [[and]] third, and fourth analysis modules, wherein the one or more reports provide the user with information regarding an impact or potential impact of the discovered internal and external data on procurement decisions, sourcing decisions and strategic sourcing decisions in the enterprise with respect to the plurality of components, and wherein the one or more reports include information represented in one or more non-graphical formats.

Please amend claim 155 as follow:

155.   The method of claim 140, wherein the steps of analyzing the discovered internal and external data using the first, second, [[and]] third, and fourth analysis modules uses data from the step of discovering the internal and external data to produce one or more reports intended to assist the user in procurement decisions, sourcing decisions, or strategic sourcing decisions.

Please amend claim 156 as follow:

156.   The method of claim 140, wherein the step of recommending one or more proposed actions uses data from the steps of analyzing the discovered internal and external data using the first, second, [[and]] third, and fourth analysis modules to make recommendations for possible actions based on the discovered internal and external data.

Please amend claim 157 as follow:

157.   The method of claim 140, wherein the steps of analyzing the discovered internal and

external data using the first, second, [[and]] third, and fourth analysis modules collects data from

the step of discovering the internal and external data and additional data from user input to make

recommendations in real time.

Please amend claim 158 as follow:

158.   The method of claim 140, wherein the step of executing one or more actions uses data

from the steps of analyzing the discovered internal and external data using the first, second,

[[and]] third, and fourth analysis modules as input for the user to decide which recommendations

to execute and when to execute them.

Please cancel claim 230.

Please amend claim 231 as follow:

231.   The method of claim 140 further comprising:

          analyzing, by the computer system, the internal and external data using a ~~fourth~~ fifth

analysis module to determine, for each component in the plurality of components, an allocation of

a purchase quantity of the component across a set of suppliers, wherein the allocation is based

on contractual obligations with the set of suppliers and performance ratings for the set of

suppliers, and wherein the analyzing performed using the ~~fourth~~ fifth analysis module is based on

a ~~fourth~~ fifth set of user-defined parameters that qualify the internal or external data.

Please amend claim 237 as follow:

237.   A system comprising:

          a storage device configured to store internal and external data related to a plurality of

components to be procured by an enterprise, wherein the internal data originates from one or

more data sources internal to the enterprise, and wherein the external data originates from one or

more data sources external to the enterprise; and

          a processing component communicatively coupled with the storage device, the

processing component being configured to:

analyze the internal and external data using a first analysis module to determine criticality

ratings for the plurality of components, wherein the criticality rating for a component indicates the

strategic importance of the component to operations of the enterprise, and wherein the analyzing

performed using the first analysis module is based on a first set of user-defined parameters that

qualify the internal or external data;

analyze the internal and external data using a second analysis module to forecast prices

for the plurality of components set by suppliers external to the enterprise, wherein the analyzing

performed using the second analysis module is based on a second set of user-defined

parameters that qualify the internal or external data;

analyze the internal and external data using a third analysis module to determine optimal

inventory levels for the plurality of components, wherein the analyzing performed using the third

analysis module is based on a third set of user-defined parameters that qualify the internal or

external data;

<u>analyze the internal and external data using a fourth analysis module to identify</u>

<u>components in the plurality of components that are shortage risks, wherein the analyzing</u>

<u>performed using the fourth analysis module is based on a fourth set of user-defined parameters</u>

<u>that qualify the internal or external data;</u>

<u>collect and integrate the analyzed data from the first, second, third and fourth analysis</u>

<u>modules through a plurality of algorithms that optimize the analyzed data based on the first,</u>

<u>second, third and fourth set of user-defined parameters;</u>

recommend one or more proposed actions to take with respect to procurement of the

plurality of components based on the ~~analyzing performed using the first, second, and third~~

~~analysis modules~~ <u>collecting and integrating performed</u>; and

provide one or more computer-initiated options for fully or partially executing an action in

the one or more proposed actions.

Please amend claim 238 as follow:

238.   A <u>non-transitory</u> computer readable storage medium having stored thereon instructions executable by a computer system, the instructions comprising:

instructions that cause the computer system to discover internal and external data related to a plurality of components to be procured by an enterprise, wherein the internal data originates from one or more data sources internal to the enterprise, and wherein the external data originates from one or more data sources external to the enterprise;

instructions that cause the computer system to store the discovered internal and external data in a data mart;

instructions that cause the computer system to analyze the internal and external data using a first analysis module to determine criticality ratings for the plurality of components, wherein the criticality rating for a component indicates the strategic importance of the component to operations of the enterprise, and wherein the analyzing performed using the first analysis module is based on a first set of user-defined parameters that qualify the internal or external data;

instructions that cause the computer system to analyze the internal and external data using a second analysis module to forecast prices for the plurality of components set by suppliers external to the enterprise, wherein the analyzing performed using the second analysis module is based on a second set of user-defined parameters that qualify the internal or external data;

instructions that cause the computer system to analyze the internal and external data using a third analysis module to determine optimal inventory levels for the plurality of components, wherein the analyzing performed using the third analysis module is based on a third set of user-defined parameters that qualify the internal or external data;

<u>instructions that cause the computer system to analyze the internal and external data using a fourth analysis module to identify components in the plurality of components that are shortage risks, wherein the analyzing performed using the fourth analysis module is based on a fourth set of user-defined parameters that qualify the internal or external data;</u>

<u>instructions that cause the computer system to collect and integrate the analyzed data from the first, second, third and fourth analysis modules through a plurality of algorithms that</u>

optimize the analyzed data based on the first, second, third and fourth set of user-defined

parameters;

   instructions that cause the computer system to recommend one or more proposed

actions to take with respect to procurement of the plurality of components based on the ~~analyzing~~

~~performed using the first, second, and third analysis modules~~ collecting and integrating

performed; and

   instructions that cause the computer system to provide one or more computer-initiated

options for fully or partially executing an action in the one or more proposed actions.

Reason for Allowance

5. The following is an examiner's statement of reasons for allowance: None of the prior art of record,

taken individually or in any combination, teaches, inter alia, a method, system and a non-

transitory computer readable medium for recommending proposed actions based on the collected

and integrated analyzed data, from four analysis modules which each module determines

criticality ratings, forecast prices, optimal inventory levels and shortage risks, through a plurality of

algorithms that optimize the analyzed data based on four different set of user defined parameters

as recited in claims 140, 237 and 238.

6. The closest prior art Fox et al., (U.S. 5,491,629), Ouimet (US 2002/0107819 A1) Salvo et al., (US

6,341,271 B1) and Waller et al., (US 2001/0047293 A1) fails to teach or suggest either singularly

or in combination recommending proposed actions based on the collected and integrated

analyzed data, from four analysis modules which each module determines criticality ratings,

forecast prices, optimal inventory levels and shortage risks, through a plurality of algorithms that

optimize the analyzed data based on four different set of user defined parameters in claims 140,

237 and 238. Fox et al., teach in col. 6, lines 10-19 and 33-40; Figure 5; A computer system uses

internal and external data to determine an impact on the retail industry. The internal and external

data is used to revise a managerial plan (i.e., make strategic decisions). Fox disclose the

discovering and storing of internal and external data. Ouimet teaches the determination of

criticality ratings of a plurality of components in ¶ 0069: "[t]he system gives the user the option of

ranking" (e.g., determine criticality ratings) "the multiple Strategic Objects" (e.g., the plurality of components) "in terms of weights" (e.g., criticality ratings) "to prioritize multiple strategic objectives" (e.g., indicates the strategic importance of the component of the operations of the enterprise) "or in terms of a target value" (e.g., a first set of user-defined parameters, for example maximize profit) "for a particular Strategic Objective."). Salvo et al., teaches the forecasting of prices in claim 6: "the control unit […] is capable of estimating future inventory price information to determine if an inventory order should be placed". Waller et al., teaches the determination of the plurality of components in ¶ 0074 which teaches that "the optimization process" enables "a user to efficiently manage inventory" based for a product set that "offers the lowest possible total cost, highest possible economic profit, highest possible unit sales, highest possible sales revenue, highest possible gross margin, or a weighted combination of any of these objectives for the set of products being analyzed" (e.g., a third set of user-defined parameters) wherein "the proposed optimal solution is expressed in numbers of facings of the products or in optimal shelf inventory level". However, Fox et al., in view of Ouimet, Salvo et al., and Waller et al., does not explicitly recommending proposed actions based on the collected and integrated analyzed data, from four analysis modules which each module determines criticality ratings, forecast prices, optimal inventory levels and shortage risks, through a plurality of algorithms that optimize the analyzed data based on four different set of user defined parameters as recited in independent claims 140, 237 and 238.

7.   Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nadja Chong Cruz whose telephone number is (571) 270-3939. The examiner can normally be reached on Monday to Friday, 8 am to 5 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on (571) 272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nadja Chong/
Examiner, Art Unit 3623

/Beth V. Boswell/
Supervisory Patent Examiner, Art Unit 3623